



COLORADO

Division of Reclamation, Mining and Safety

Department of Natural Resources
1313 Sherman Street, Room 215
Denver, CO 80203

September 4, 2019

Jason Burkey
Oldcastle SW Group Inc. dba United Companies of Mesa County.
2273 River Road
Grand Junction, CO 81505

***RE: Otter Creek, File No. M-2012-050, Comments Regarding 112c Regular Construction
Materials Amendment Application (AM-1)***

Dear Mr. Burkey:

On August 28, 2019 the Division of Reclamation, Mining and Safety (Division) received comments regarding the above referenced application from the Division of Water Resources. It is noted that your current well permit limits you to 55 surface acres of gravel ponds, based on your amendment application this may need to be increased. Please add this document to your permit file records.

If you require additional information, or have questions or concerns, please feel free to contact me. Amy Yeldell at the Division of Reclamation, Mining and Safety, 1313 Sherman St., Room 215, Denver, CO 80203. Direct contact can be made by phone at 303-866-3567 Ext 8183 or via email at amy.yeldell@state.co.us

Sincerely,

Amy Yeldell

Environmental Protection Specialist

Cc:

Travis Marshall, Senior EPS, Grand Junction DRMS
Ivan Geer, River City Consultants Inc.





COLORADO
Division of Water Resources
Department of Natural Resources

RECEIVED

AUG 28 2019

DIVISION OF RECLAMATION
MINING AND SAFETY

GJFO
Via email

**Response to Notice of 112 Construction Materials Reclamation Permit Amendment Application
Consideration**

To: Amy C. Yeldell, Environmental Protection Specialist
From: Justina P. Mickelson, Physical Science Researcher/Scientist
Date: August 28, 2019
Re: Operator: Oldcastle SW Group, Inc. dba United Companies of Mesa County;
Otter Creek Pit; Permit No. M-2012-050
Section 14, Twp 1 S, Rng 1 E, Ute P.M.; Montrose County

CONDITIONS FOR APPROVAL

The applicant is requesting an amendment to add 5.8 acres of permitted area, which is Phase/Pit 4. Per the applicant, the mine will encounter ground water in the mining operation.

Well Permit No. 81730-F was issued February 13, 2018 to expose water in the Otter Creek Pit. The average annual amount of ground water to be appropriated shall not exceed 238.67 acre-feet for the uses described on the well permit, excluding dewatering. The use of ground water, in addition to evaporation, is limited to dewatering (500 gpm), product moisture loss, aggregate washing, and dust control. The total surface area of the gravel pit pond(s) limited to 55 acres.

This gravel pit is located in an area where ground water is still available for appropriation and the well permit was issued on the basis that water is available for appropriation; however, this well may be subject to administration in the water rights priority system in the future.

If storm water is not diverted or captured in priority, Colorado Water Law requires it to be released, or replacement for evaporation will be required of the impounder/operator/owner of the gravel pit. The State Engineer's current policy requires that all impounded water be released to the stream system within a maximum of 72 hours after impoundment. Unless captured in priority, impounded water may not be used for any purpose except as approved under a water supply plan or decreed plan for augmentation.

COMMENTS

This office has no objections to the Notice of 112 Construction Materials Reclamation Permit Amendment Application so long as the site operates under a valid well permit for any ground water exposure or use.

The applicant may contact the State Engineer's Office with any questions.

Cc: Division 5 Engineer
District 72 Water Commissioner

